



CROFTON COMMUNITY SCHOOL

PO Box 429, North Highway 121
Crofton, Nebraska 68730
Jr./Sr. High (402) 388-2440 Elementary (402) 388-4357
FAX # (402) 388-4265

MARK WRAGGE
Superintendent

JOHNNIE OSTERMEYER
Secondary Principal

SARAH HIGGINS
Elementary Principal

DATE:
TO:
FROM:
Re: Application for Option Enrollment
Sent: Via Certified Mail

Dear _____,

I am writing to inform you that the district considered your request that **[name of child]** (the "Individual Student") be permitted to option into the school district for the _____ school year. State law requires an option school district to automatically accept applications for siblings of option students enrolled in the option school district without regard to capacity limitations. We understand that the following persons are siblings of the Individual Student: **[list all siblings you know about here]**. The district gave your request serious and thorough consideration. Ultimately, it decided to deny Individual Student's application. Specifically, and in addition to any reasons provided in the Application for Student Transfer, the district concluded that [check all that apply]:

- The Individual Student has used the one available option available to students, and none of the exceptions found in section 79-234 apply.
- The Individual Student and/or one or more of his or her siblings has an individualized education program under the federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., or has been diagnosed with a disability as defined in section 79-1118.01, and the special education director or designee determined that the school district's appropriate class, grade level, or school building does not have the capacity to provide the Individual Student and all of his or her siblings with their required services and accommodations as follows: **[LIST ALL SPECIFIC PROGRAMS, SERVICES, AND ACCOMMODATIONS YOU DO NOT HAVE OR DO NOT HAVE CAPACITY TO PROVIDE]**.
- The application to option into the district was received after March 15th of the school year prior to the Individual Student's requested enrollment.
- The application did not include a required release from the resident district.
- The enrollment of the Individual Student or any of his or her siblings would cause the district to exceed the numeric or programmatic capacity set by the board for the applicable program, class, grade level, or school building.

- The enrollment of the Individual Student or any of his or her siblings:
 - Would increase the operating costs of the school district, such as by requiring the hiring of new staff or contracting with outside entities to provide services to the Individual Student or any of his or her siblings;
 - Would require the procurement of new equipment, technology, or furnishings;
 - Would cause or require the rearrangement of caseloads for staff and contracted professionals;
 - Is reasonably deemed by appropriate school staff to pose a potential risk to the health or safety of students or staff;
 - May pose a risk of adversely affecting the quality of educational services being provided to resident students, as determined by appropriate school staff.

- The school district has discovered that your option application contained false or substantively misleading information.

These were the primary considerations that led the board to reject your option application. We regret that this will preclude you from enrolling in our district.

You have the right to appeal the board's decision to the Nebraska Department of Education. Appeals are governed by NEB. ADMIN. R.& REGS. Title 92, Chapter 61 (1997), a copy of which can be found on the internet at https://www.education.ne.gov/wp-content/uploads/2017/10/Rule61_1997.pdf.

Appeals are initiated by your filing a petition with the state board of education requesting a hearing. The petition is the initial document filed with the board that sets forth a claim and request for board action. A sample petition is included at the conclusion of Rule 61 as Appendix A. You must include a copy of your option application and a copy of this letter when you file your petition. You may appear on your own behalf in the appeal or may be represented by an attorney or other representative as permitted by law.

I cannot provide you with legal advice on the appeal process. However, if you have questions about the board's option enrollment policy or if I can be of further assistance, you may contact my office.

Sincerely,

Superintendent

Enclosure NDE Application for Student Transfer